If there is any fee due in connection with the filing of this Preliminary

Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: August 6, 2001

Arthur S. Garrett Reg. No. 20,338

180225\_1

LAW OFFICES
FINNEGAN, HENDERSON,
FARABOW, GARRETT,
8 DUNNER, L. L. P.
1300 I STREET, N. W.

WASHINGTON, DC 20005 202-408-4000



Application Number: 09/857,456 Filing Date: June 5, 2001

Attorney Docket Number: 7203-25

## **APPENDIX TO AMENDMENT OF AUGUST 6, 2001**

## Amendments to the Claims

- 10. (Amended) A method according to [any preceding] claim 2, in which contact between the pipette tip and the air/liquid interface and/or subsequent movement of the pipette tip into the liquid is detected by monitoring pipette capacitance.
- 11. (Amended) A method according to [any preceding] claim 2, in which if no cell is contacted at or near the interface as or within a predetermined time after contact between the pipette and the interface, the pipette is withdrawn from the interface and then moved back to the interface to repeat the attempt to contact a cell.
- 12. (Amended) An apparatus for carrying out the method of [any preceding] claim 2, which is a computer controlled apparatus including the following elements:
  - i) a patch clamp amplifier;
- ii) a source of variable suction for a patch clamp pipette under the control of the patch clamp amplifier;
  - iii) a holder for a capillary tube to be mounted vertically;
- iv) a holder for a patch clamp pipette to be mounted vertically in the same axis as the capillary tube in an inverted orientation with the tip pointing upwardly;
- v) a manipulator for controlling relative movement of the capillary tube and pipette along a common axis of movement under feedback control from the patch clamp amplifier and allowing for the tip of the pipette to enter a downwardly facing end of the capillary tube.

LAW OFFICES
FINNEGAN, HENDERSON,
FARABOW, GARRETT,
8 DUNNER, L. L. P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

- 15. (Amended) A computer-program-controlled patch clamping process for carrying out the method of [any of claims 1 to 11] claim 1 or 2.
- 16. (Amended) A computer-program-controlled patch clamping process for controlling the apparatus of claim 12[,] or 13 [or 14].
- 17. (Amended) A computer-readable medium carrying a computer program for controlling a computer to implement the method [any of claims 1 to 11 or to control the apparatus of claim 12, 13 or 14] <u>claim 1 or 2</u>.
- 18. (Amended) A method for controlling a computer by means of a computer program for implementing the method of [any of claims 1 to 11] <u>claim 1 or 2</u>.

  180238\_1

LAW OFFICES
FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000